

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STANLEY SPRIGGS,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 3:23-7
	)	Judge Nora Barry Fischer
BOBBI JO SALAMON, Warden, SCI	)	Magistrate Judge Keith Pesto
Rockview,	)	
	)	
Respondent.	)	

**MEMORANDUM ORDER**

AND NOW, this 15th day of January, 2025, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Keith A. Pesto on August 20, 2024, (Docket No. 20), recommending that the Motion/Petition Requesting to Vacate Judgment Entered on July 13, 2023, Under Fed. R. Civ. P. 60(b) filed by Petitioner Stanley Spriggs, be denied, as untimely and otherwise without merit, and further points out that the underlying habeas petition was denied in a Memorandum Order issued by the Hon. Kim R. Gibson on July 13, 2023, (Docket No. 14), and the U.S. Court of Appeals for the Third Circuit having issued an Order on November 2, 2023 denying a certificate of appealability, (Docket No. 18), and the subsequent Order entered by Magistrate Judge Pesto on December 18, 2024, denying Petitioner's timely filed motion seeking an extension of time to file objections, as moot, but further directed him to file any such objections, forthwith, and no objections having been filed as of the date of this Order, and this matter having been recently reassigned to the undersigned for prompt disposition of the matter, (Docket No. 23), and upon independent review of the record and de novo consideration of the Magistrate Judge's Report and Recommendation of August 20, 2024, (Docket No. 20),

IT IS HEREBY ORDERED that the Report and Recommendation [20] is ADOPTED as the Opinion of this Court;

IT IS FURTHER ORDERED that Petitioner's Motion/Petition Requesting to Vacate Judgment Entered on July 13, 2023, Under Fed. R. Civ. P. 60(b) [19] is DENIED; and,

IT IS FURTHER ORDERED that, to the extent necessary, no certificate of appealability shall issue as Petitioner has not made a substantial showing of a denial of a Constitutional right.

*s/Nora Barry Fischer*

Nora Barry Fischer

Senior U.S. District Judge

cc/ecf: Magistrate Judge Keith A. Pesto

cc: STANLEY SPRIGGS

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